

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

MICAH ANDERSON,

Plaintiff,

vs.

LANCE FRITZ, and UNION PACIFIC  
CORPORATION,

Defendants.

**8:22CV369**

**MEMORANDUM AND ORDER**

This matter is before the Court for case management. On January 23, 2023, the Court entered an order, [Filing No. 13](#), addressing a motion to amend complaint and a motion for status filed by Plaintiff, [Filing No. 11](#), as well as several other motions that were pending on the Court's docket including, as is relevant here, a motion to proceed in forma pauperis (the "IFP Motion"), [Filing No. 2](#).

In the January 23 Memorandum and Order, this Court notified Plaintiff that his IFP Motion had not been addressed as "a trust account statement, which is necessary to address the IFP Motion and calculate the initial partial filing fee, has yet to be received from the institution where Plaintiff is housed or from the Plaintiff himself." [Filing No. 13 at 2](#). Plaintiff was then informed that while the Clerk's Office had sent a second letter to Cook County Corrections, in Chicago, Illinois (the "CCC") on January 19, 2023, where Plaintiff is housed, requesting his trust account statement, that pursuant to the Prison

Litigation Reform Act of 1995 (the “PLRA”), [28 U.S.C. § 1915\(a\)–\(h\)](#), it is a prisoner’s duty to provide the Court with a copy of his trust account statement. *Id.* See also [NECivR 3.3\(b\)](#) (“a prisoner . . . seeking leave to proceed in forma pauperis must file a certified copy of the prisoner’s trust account information that complies with [28 U.S.C. § 1915\(a\)\(2\)](#)”). The Court ordered Plaintiff to provide the Court with a certified copy of his trust account statement by March 23, 2023, if none was received from the CCC by February 21, 2023, or his case would be subject to dismissal. [Filing No. 13 at 3–4](#).

To date the Court has not received a copy of Plaintiff’s certified trust account statement from the CCC or from Plaintiff.

IT IS THEREFORE ORDERED that:

1. Plaintiff will have 30 days to show cause why this case should not be dismissed for failure to comply with the Court’s Order by providing a copy of his certified trust account statement, or alternatively, by payment of the filing fee if Plaintiff no longer wishes to proceed in forma pauperis. In the absence of cause shown, this case will be dismissed without prejudice and without further notice.

2. The Clerk of the Court is directed to set a pro se case management deadline in this case using the following text: **May 8, 2023**: check for response to show cause order.

Dated this 6th day of April, 2023.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J F Bataillon", written over a horizontal line.

Joseph F. Bataillon  
Senior United States District Court